

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTIETH LEGISLATURE

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**EIGHTH LEGISLATIVE DAY  
MONDAY, JANUARY 18, 2010**

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 64 members present.

Absent and excused – Barrett, Hart, Harwood, Loertscher, Mathews, Nielsen. Total – 6.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Benjamin Monaghan, Page.

### Approval of Journal

January 18, 2010

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

January 15, 2010

Mr. Speaker:

I return herewith enrolled [HCR 35](#) which has been signed by the President.

WOOD, Secretary

Enrolled [HCR 35](#) was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 384 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO MOTOR FUELS TAXES; AMENDING SECTION 63-2401, IDAHO CODE, TO REVISE THE DEFINITION OF MOTOR FUEL AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 63-2412, IDAHO CODE, TO PROVIDE A

CORRECT CODE REFERENCE RELATING TO THE DISTRIBUTION OF REVENUES FROM THE TAX ON MOTOR FUELS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-2418, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE RELATING TO THE DISTRIBUTION OF REVENUES FROM THE TAX ON SPECIAL FUELS AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY, PROVIDING APPLICATION TO CERTAIN UNTAXED ETHANOL AND PROVIDING RETROACTIVE APPLICATION AND EFFECTIVE DATES.

#### HOUSE BILL NO. 385 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO UNCLAIMED PROPERTY; AMENDING SECTION 14-113, IDAHO CODE, TO ALLOW THE ADMINISTRATOR A PERIOD OF FIVE YEARS PRIOR TO TURNING PROPERTY OVER TO THE PUBLIC SCHOOL ENDOWMENT FUND; AMENDING SECTION 14-517, IDAHO CODE, TO REQUIRE HOLDERS REPORTING TEN OR MORE PROPERTIES TO REPORT IN A FORMAT REQUIRED BY THE ADMINISTRATOR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 14-522, IDAHO CODE, TO ALLOW THE ADMINISTRATOR DISCRETION TO SELL ABANDONED PROPERTY WITHIN THREE YEARS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 14-533, IDAHO CODE, TO ALLOW THE ADMINISTRATOR TO WAIVE PENALTIES AND INTEREST IN CERTAIN CASES.

#### HOUSE BILL NO. 386 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3022, IDAHO CODE, TO REVISE HOW WITHDRAWALS FROM THE STATE COLLEGE SAVINGS ACCOUNT ARE ADDED TO TAXABLE INCOME; AMENDING SECTION 63-3029G, IDAHO CODE, TO REVISE THE INCOME TAX CREDIT FOR RESEARCH ACTIVITY; AMENDING SECTION 63-4403, IDAHO CODE, TO PROVIDE THAT THE ADDITIONAL INCOME TAX CREDIT FOR CAPITAL INVESTMENT SHALL BE CALCULATED ON THE AMOUNT OF QUALIFIED INVESTMENT MADE DURING THE PROJECT PERIOD WHEREVER LOCATED WITHIN THIS STATE; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

#### HOUSE BILL NO. 387 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO SALES TAX; AMENDING SECTION 63-3613, IDAHO CODE, TO REMOVE LANGUAGE REGARDING TAXES PREVIOUSLY PAID ON AMOUNTS REPRESENTED BY ACCOUNTS FOUND TO BE WORTHLESS MAY BE CREDITED UPON A SUBSEQUENT PAYMENT OF THE SALES AND USE TAX AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-3623, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 63-3626, IDAHO CODE, TO PROVIDE THAT TAXES PREVIOUSLY PAID ON AMOUNTS REPRESENTED BY ACCOUNTS FOUND TO BE WORTHLESS MAY BE CREDITED UPON A SUBSEQUENT PAYMENT OF THE TAX PROVIDED IN THIS CHAPTER OR, IF NO SUCH TAX IS DUE, REFUNDED.

**HOUSE BILL NO. 388**  
**BY REVENUE AND TAXATION COMMITTEE**

**AN ACT**

RELATING TO INCOME TAX; AMENDING SECTION 63-3022H, IDAHO CODE, TO PROVIDE A DEFINITION OF "REAL PROPERTY"; AMENDING SECTION 63-3029E, IDAHO CODE, TO REVISE THE DEFINITION OF "REVENUE-PRODUCING ENTERPRISE"; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[H 384](#), [H 385](#), [H 386](#), [H 387](#), and [H 388](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 11:30 a.m., Tuesday, January 19, 2010. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:44 a.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk